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| 6 | UNITED STATES DISTRICT COURT | |
| 7 | EASTERN DISTRICT OF CALIFORNIA | |
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| 9 | ADALBERTO SOLIS, | Case No. 1:20-cv-00048-AWI-EPG (PC) |
| 10 | Plaintiff, | ORDER REQUIRING STATEMENTS FROM PARTIES REGARDING |
| 11 | | SCHEDULE AND DISCOVERY |
| 12 | v. | THIRTY (30) DAY DEADLINE |
| 13 | | |
| 14 | PORTILLO, | |
| 15 | Defendant(s). | |
| 16 | | |
| 17 | The Court has screened Plaintiff's complaint and has ordered the case to proceed. Before | |
| 18 | scheduling this case, the Court will require each party to submit a statement regarding the | |
| 19 | schedule and discovery matters. | |
| 20 | The statements regarding the schedule and discovery shall be filed within thirty days from | |
| 21 | the date of service of this order. They should be filed with the Court, titled "SCHEDULING | |
| 22 | AND DISCOVERY STATEMENT," and include the name of the party filing the statement. | |
| 23 | They shall address all of the following issues: | |
| 24 | i. A brief summary of the pa | rties' claims and/or defenses. |
| 25 | ii. The name and, if known, the | he address and telephone number of each witness, |
| 26 | besides expert witnesses, the party may call at trial. | |
| 27 | iii. A description by category | and location of all documents the party may use at |
| 28 | trial. | |
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| 1 | iv. | Whether any third parties, other than Plaintiff's institution of confinement, are |
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| 2 | | likely to have relevant documents. |
| 3 | v. | Whether the party intends to use expert witnesses. |
| 4 | vi. | If a settlement conference has not occurred, when the party will be prepared to |
| 5 | | participate in a settlement conference. |
| 6 | Defendant(s)' Scheduling and Discovery Statement shall also address all of the following | |
| 7 | issues: | |
| 8 | vii. | Whether a third party subpoena directed at Plaintiff's institution of |
| 9 | | confinement will be necessary to obtain relevant documents. |
| 10 | viii. | Whether Defendant(s) intend to challenge the issue of exhaustion and, if so, |
| 11 | | when Defendant(s) will be ready to file a motion for summary judgment |
| 12 | | regarding the issue of exhaustion. |
| 13 | ix. | Whether witness statements and/or evidence were generated from |
| 14 | | investigation(s) related to the event(s) at issue in the complaint, such as an |
| 15 | | investigation stemming from the processing of Plaintiff's grievance(s).1 |
| 16 | х. | Whether there are any video recordings or photographs related to the |
| 17 | | incident(s) at issue in the complaint, including video recordings and |
| 18 | | photographs of Plaintiff taken following the incident(s). |
| 19 | Finally, a | my party may also include any information that the party believes would assist in |
| 20 | | |
| 21 | IT IS SO ORDE | RED. |
| 22 | Dated: M | 1s/ Encir P. Story UNITED STATES MAGISTRATE JUDGE |
| 23 | | UNITED STATES MAGISTRATE JUDGE |
| 24 | | |
| 25 | | |
| 26 | 1 See Wood | Aford v. Ngo, 548 U.S. 81, 94-95 (2006) ("[P]roper exhaustion improves the quality of those |
| 27 | prisoner suits that ar | re eventually filed because proper exhaustion often results in the creation of an administrative l to the court. When a grievance is filed shortly after the event giving rise to the grievance, |

witnesses can be identified and questioned while memories are still fresh, and evidence can be gathered and

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preserved.").